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REISSUE PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of
U.S. Patent No. 6,008,216

Applicants: Chakrabarti, et al.

Application No.: 10/023,132

Filed: December 18, 2001

For: Process For Preparing 2-Methyl-
Thieno-Bezodiazepine

Docket No.: G-1265I

REISSUE DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to
my name.

I believe I am an original, first and joint inventor of the subject matter which
is claimed and for which United States Patent No. 6,008,216 was granted on the invention
entitled

Process for Preparing 2-Methyl-Thieno-Benzodiazepine

the specification of which:

[] is attached hereto

[X] was filed on July 24, 1998 as United States Application
Serial No. 09/122,294



whereof Eli Lilly and Company Limited, on whose behalf and with whose assent this application is made, is now sole owner by assignment, and for which invention I solicit a reissue patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, amended claim 1, and further including the new claims 2 through 34 which have been added by preliminary amendment submitted with the reissue application.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in 37 C.F.R. § 1.56.

I believe United States Letters Patent No. 6,008,216 may be at least partly inoperative for the reason that I claimed less than I had the right to claim in the patent.

New claims 2 to 21 define a process of producing a compound of formula (I). I believe it was error to omit a set of claims defining this process.

New claims 22 to 32 define certain intermediate compounds useful in the process of the present invention. I believe it was error to omit a set of claims defining these intermediate compounds.

New claims 33 and 34 define a method of preparing 2-methyl-4-(4-methyl-1-piperazinyl)-10H-thieno[2,3-b][1,5]-benzodiazepine. I believe it was error to omit a set of claims defining this method of preparation.

I state that all errors being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on my part.

Since this reissue application was filed within two years of the issue date of United States Letters Patent No. 6,008,216, broader claims than those in the issued patent are permissible.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of
First Joint Inventor : Jiban Kumar Chakrabarti (**Deceased**)

Inventor's Signature : see added page Date: _____

Residence Address : Late of:
3 Holly Hedge Road
Frimley, Camberley,
Surrey, England

Post Office Address : Same

Citizenship : United Kingdom

Full Name of Second
Joint Inventor: : Terrence Michael Hotten

Inventor's Signature : Terrence Michael Hotten Date: 13th August 2002

Residence Address : 134 West Heath Road
Cove, Farnborough
Hants, England

Post Office Address : Same

Citizenship : United Kingdom

Full Name of Third
Joint Inventor : David Edward Tupper

Inventor's Signature : David Edward Tupper Date: 13th August 2002

Residence Address : 8 Mildenhall Close, Lower Early
Reading, Berkshire, RG6 3AT
Great Britain

Post Office Address : Same

Citizenship : United Kingdom

**ADDED PAGE TO REISSUE DECLARATION FOR SIGNING BY
ADMINISTRATOR(TRIX), EXECUTOR(TRIX) OR LEGAL REPRESENTATIVE
ON BEHALF OF DECEASED INVENTOR PURSUANT TO 37 C.F.R. § 1.42**

I, REBA CHAKRABARTI

hereby declare that I am a citizen of UNITED KINGDOM

residing at 3 HOLLY HEDGE ROAD
FRIMLEY, SURREY, ENGLAND

and that I am executing and signing the declaration to which this is attached as (check one):

- ☐ the administrator(trix) of
☒ the executor(trix) of the last will and testament of
☐ the legal representative (or heirs) of

Jiban Kumar Chakrabarti

Full name of deceased inventor

United Kingdom

Country of citizenship of deceased inventor

3 Holly Hedge Road, Frimley, Camberley, Surrey, England

Residence of deceased inventor

3 Holly Hedge Road, Frimley, Camberley, Surrey, England

Post Office address of deceased inventor

That, upon information and belief, I aver those facts that the inventor is required to state.

Date: 30-08-02

Reba Chakrabarti